

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	Criminal No. 01-455-A
	)	
ZACARIAS MOUSSAOUI	)	
a/k/a "Shaqil,"	)	
a/k/a "Abu Khalid	)	
al Sahrawi,"	)	
	)	
Defendant.	)	

ORDER

Before the Court is standby counsel's Motion for Regular Cell-Side Access to Mr. Moussaoui in which they ask us to direct the United States Marshals Service and officials at the Alexandria City Adult Detention Center to facilitate cell-side visits for standby counsel and their mental health expert, Dr. Xavier Amador. Standby counsel contend that by talking with and observing the defendant through his food slot, they will be able to attempt to reconcile their relationship with Mr. Moussaoui, and continue to pursue competence and mental health issues. Further, standby counsel argue that cell-side visits by mental health experts are essential to their ability to prepare a defense in the event that the defendant is relieved of his pro se status.

The defendant has been granted the right to represent himself, and has unequivocally rejected any and all contacts with standby counsel. Although the rhetoric in the defendant's pro se pleadings has become increasingly confrontational, the Court is

not aware of any new evidence that would support a claim that the defendant is not mentally competent to proceed pro se at this time. Therefore, to force the defendant to receive standby counsel or be observed by their mental health expert at his cell would deprive him of the limited privacy upon which he has insisted and to which we believe he has a legitimate claim. We also find that such coerced contact will further damage the relationship between the defendant and standby counsel. Accordingly, standby counsel's Motion for Regular Cell-Side Access to Mr. Moussaoui is DENIED.

The Clerk is directed to forward copies of this Order to the defendant, pro se; counsel for the United States; standby defense counsel; and the United States Marshal.

Entered this 22<sup>nd</sup> day of July, 2002.

/s/

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Leonie M. Brinkema  
United States District Judge

Alexandria, Virginia